

AMENDED IN ASSEMBLY AUGUST 30, 2005

AMENDED IN ASSEMBLY AUGUST 22, 2005

AMENDED IN SENATE JUNE 15, 2005

AMENDED IN SENATE JUNE 1, 2005

AMENDED IN SENATE MAY 17, 2005

AMENDED IN SENATE MAY 4, 2005

AMENDED IN SENATE APRIL 25, 2005

## SENATE BILL

**No. 1075**

Introduced by ~~Senator Hollingsworth~~ *Senators Hollingsworth and Morrow*

*(Principal coauthors: Assembly Members Haynes and Wyland)*

February 22, 2005

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~~An act to add Article 3.7 (commencing with Section 179) to Chapter 1 of Division 1 of Title 1 of, the Government Code, An act to amend Section 8558 of the Government Code, relating to emergencies, and declaring the urgency thereof, to take effect immediately.~~

### LEGISLATIVE COUNSEL'S DIGEST

SB 1075, as amended, Hollingsworth. ~~Disaster response. Emergency services.~~

~~(1) Existing law ratifies, approves, and sets forth the provisions of the Interstate Civil Defense and Disaster Compact.~~

~~This bill would additionally ratify, approve, and set forth the provisions of the Emergency Management Assistance Compact.~~

~~(1) The California Emergency Services Act authorizes the Governor to take specified actions, including to use and employ any of~~

*the property, services, and resources of the state, to mitigate the effects of an emergency, as defined.*

*This bill would include illegal immigration within the definition of an emergency to which this authority of the Governor would apply.*

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 8558 of the Government Code is  
2     amended to read:

3     8558. Three conditions or degrees of emergency are  
4     established by this chapter:

5     (a) "State of war emergency" means the condition which  
6     exists immediately, with or without a proclamation thereof by the  
7     Governor, whenever this state or nation is attacked by an enemy  
8     of the United States, or upon receipt by the state of a warning  
9     from the federal government indicating that such an enemy attack  
10    is probable or imminent.

11    (b) "State of emergency" means the duly proclaimed existence  
12    of conditions of disaster or of extreme peril to the safety of  
13    persons and property within the state caused by such conditions  
14    as air pollution, fire, flood, storm, epidemic, riot, drought, sudden  
15    and severe energy shortage, plant or animal infestation or  
16    disease, the Governor's warning of an earthquake or volcanic  
17    prediction, or an earthquake, complications resulting from the  
18    Year 2000 Problem, *illegal immigration*, or other conditions,  
19    other than conditions resulting from a labor controversy or  
20    conditions causing a "state of war emergency," which, by reason  
21    of their magnitude, are or are likely to be beyond the control of  
22    the services, personnel, equipment, and facilities of any single  
23    county, city and county, or city and require the combined forces  
24    of a mutual aid region or regions to combat, or with respect to  
25    regulated energy utilities, a sudden and severe energy shortage  
26    requires extraordinary measures beyond the authority vested in  
27    the California Public Utilities Commission.

28    (c) "Local emergency" means the duly proclaimed existence  
29    of conditions of disaster or of extreme peril to the safety of

1 persons and property within the territorial limits of a county, city  
2 and county, or city, caused by such conditions as air pollution,  
3 fire, flood, storm, epidemic, riot, drought, sudden and severe  
4 energy shortage, plant or animal infestation or disease, the  
5 Governor's warning of an earthquake or volcanic prediction, or  
6 an earthquake, complications resulting from the Year 2000  
7 Problem, *illegal immigration*, or other conditions, other than  
8 conditions resulting from a labor controversy, which are or are  
9 likely to be beyond the control of the services, personnel,  
10 equipment, and facilities of that political subdivision and require  
11 the combined forces of other political subdivisions to combat, or  
12 with respect to regulated energy utilities, a sudden and severe  
13 energy shortage requires extraordinary measures beyond the  
14 authority vested in the California Public Utilities Commission.

15 *SEC. 2. This act is an urgency statute necessary for the*  
16 *immediate preservation of the public peace, health, or safety*  
17 *within the meaning of Article IV of the Constitution and shall go*  
18 *into immediate effect. The facts constituting the necessity are:*

19 *In order to ensure that the Governor has sufficient authority to*  
20 *respond to the illegal immigration emergency, it is necessary that*  
21 *this act take effect immediately.*

22 ~~SECTION 1. Article 3.7 (commencing with Section 179) is~~  
23 ~~added to Chapter 1 of Division 1 of Title 1 of the Government~~  
24 ~~Code, to read:~~

25  
26  
27 **All matter omitted in this version of the bill**  
28 **appears in the bill as amended in the**  
29 **Assembly, August 22, 2005. (JR11)**  
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